

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BIOVAIL LABORATORIES INTERNATIONAL SRL)	
a corporation of Barbados,)	
)	
Plaintiff,)	C.A. No. 05-586 (GMS)
)	C.A. No. 05-730 (GMS)
v.)	C.A. No. 06-620 (GMS)
)	(CONSOLIDATED)
ANDRX PHARMACEUTICALS, LLC and)	
ANDRX CORPORATION,)	
)	
Defendants.)	

STIPULATION AND ORDER

Pursuant to the parties' agreement at the January 30, 2007 teleconference with the Court, IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, as follows:

1. Defendants Andrx Pharmaceuticals, LLC and Andrx Corporation hereby withdraw without prejudice their motion for summary judgment of non-infringement of U.S. Patent No. 5,529,791 (D.I. 108); and

2. Plaintiff Biovail Laboratories International SRL hereby withdraws without prejudice its cross-motion for summary judgment of no collateral estoppel. (D.I. 125).

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SO ORDERED this _____ day of _____, 2007.

J.

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